



ASSOCIATION OF BAY AREA GOVERNMENTS

Representing City and County Governments of the San Francisco Bay Area

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LEGISLATION SUMMARY 2016 State Legislative Session Legislation & Governmental Organization Committee July 21, 2016

Bill Number	Current Text	Status	Summary	ABAG Recom.	Positions: League CSAC MTC BAAQMD	L&GO Position
AB 2444 (Garcia)	Amended 6/23/2016	6/29/2016- Senate Appropriations	California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016. Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,120,000,000 pursuant to the State General Obligation Bond Law to finance a parks.	Support	League: S CSAC: W	
AB 1550 (Gomez)	Amended 5/31/2016	6/29/2016- Senate Appropriations	Greenhouse gases: investment plan: disadvantaged communities. Current law requires the Department of Finance, in consultation with the State Air Resources Board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects located within, and benefitting individuals living in, disadvantaged communities and a minimum of 20% to projects that benefit low-income households, as specified, with a fair share of those moneys targeting households with incomes at or below 200% of the federal poverty level.	Watch	League: W MTC: Oppose Unless Amended BAAQMD: Oppose Unless Amended	
Gov. 707 (Gov. Brown)	Amended 6/10/2016	6/29/2016- In Negotiations with Legislators	Gov. Trailer Bill Proposal. The Governor's proposal would allow new market-rate projects with onsite affordable housing to be approved "as of right." Under the proposal, new projects with 20 percent affordable housing for tenants making no more than 80 percent of the area median income or projects with 10 percent affordable housing near transit would be exempt from most local reviews. Within 30 days of receiving an application, the city must either approve a housing development or explain why it is inconsistent with objective general plan and zoning standards. Lead negotiator with Gov. office is Senator Mark Leno.	Watch and Seek Amend	League: O	Watch and Seek Amend.
Proposition 53 California Statewide Vote on Bond Initiative	Introduced Spring 2016	November ballot initiative	Requires that legislatively approved projects be presented on statewide ballot for voter approval. Applies to previously approved projects if remaining bond amount exceeds \$2 billion. Requires State Legislature approve use of revenue bonds for public infrastructure projects funded, owned, or operated by the state or any joint agency (JPA) that includes the state, if the bond amount exceeds \$2 billion and repayment requires new, increased, or extended taxes, fees, or other charges.	Oppose		

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AB 18 (Dodd)		8/27/2015-Senate Appropriations	Disaster Relief: South Napa Earthquake. The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would add the August 24, 2014, South Napa Earthquake, to the list of events for which the state share of state eligible cost is up to 100% and exempt the county from a specified planning requirement as a condition of receiving this level of assistance.	Support	League: W CSAC: S	Support
AB 2406 (Thurmond)	Amended 6/8/2016	6/16/2016-Senate Third reading	Housing: Junior Accessory Dwelling Units. The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential areas, as prescribed. This bill would, in addition, authorize a local agency to provide by ordinance for the creation of junior accessory dwelling units, as defined, in single-family residential zones. The bill would require the ordinance to include, among other things, standards for the creation of a junior accessory dwelling unit, required deed restrictions, and occupancy requirements. The bill would prohibit an ordinance from requiring, as a condition of granting a permit, water and sewer connection fees or additional parking requirements.	Support	League: S CSAC: S	Support
AB 2441 (Thurmond)	Amended 6/30/2016	6/30/2016-Senate Appropriations	Housing: Workforce Housing in High-Cost Areas Pilot Program. This bill would create the Workforce Housing Pilot Program, pursuant to which the department, subject to the appropriation of funds for that purpose, would award grant funding to eligible recipients, as defined, for the predevelopment costs, acquisition, construction, or rehabilitation of rental housing projects or units within rental housing projects that serve, and for providing downpayment assistance to, persons and families of low or moderate income. The bill would require all grant funds to be matched on a dollar-for-dollar basis, unless the eligible recipient is suffering a hardship and is unable to generate the matching funds. The bill would require the Department of Finance to determine whether an eligible recipient is suffering a hardship.	Support	League: S CSAC: P	Support
AB 2817 (Chiu)	Amended 5/27/2016	6/29/2016-Senate Appropriations	Income Taxes: Credits: Low-Income Housing: Allocation Increase. Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, personal income, and corporation income tax credit amounts among low-income housing projects based on federal law. Existing law, in modified conformity to federal income tax law, allows the credit based upon the applicable percentage, as defined, of the qualified basis of each qualified low-income building. The bill would also increase the amount the committee may allocate to farmworker housing projects from \$500,000 to \$25,000,000 per year. The bill, under the insurance taxation law, the Personal Income Tax Law, and the Corporation Tax Law, would modify the definition of applicable percentage relating to qualified low-income buildings.	Support	League: S CSAC: S	Support

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SB 873 (Beall)	Amended 6/27/2016	6/27/2016- Assembly Appropriations	Income taxes: Insurance Taxes: Credits: Low-income Housing: Sale of Credit. Existing law establishes a low-income housing tax credit program pursuant to which the California Tax Credit Allocation Committee provides procedures and requirements for the allocation of state insurance, income, and corporation tax credit amounts among low-income housing projects based on federal law. This bill, beginning on or after January 1, 2016, would allow a taxpayer that is allowed a low-income housing tax credit to elect to sell all or a portion of that credit to one or more unrelated parties, as described, for each taxable year in which the credit is allowed for not less than 80% of the amount of the credit to be sold, and would provide for the one-time resale of that credit, as provided. The bill would require the California Tax Credit Allocation Committee to enter into an agreement with the Franchise Tax Board to pay any costs incurred by the Franchise Tax Board in administering these provisions. This bill contains other related provisions and other existing laws.	Watch	League: S CSAC: W	Watch
SB 879 (Beall)	Amended 6/16/2016	6/29/2016- Assembly Appropriations Suspense File	Affordable Housing: Bond Act. Under existing law, there are programs providing assistance for, among other things, emergency housing, multifamily housing, farmworker housing, home ownership for very low and low-income households, and downpayment assistance for first-time home buyers. Existing law also authorizes the issuance of bonds in specified amounts pursuant to the State General Obligation Bond Law and requires that proceeds from the sale of these bonds be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. This bill would enact the Affordable Housing Bond Act of 2016, which, if adopted, would authorize the issuance of bonds in the amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to finance various existing housing programs, as well as infill infrastructure financing and affordable housing matching grant programs, as provided. This bill contains other related provisions.	Support	League: S	Support
SB 1030 (McGuire)	Introduced 2/12/2016	6/30/2016- Assembly Third reading.	Sonoma County Regional Climate Protection Authority. Existing law, until December 1, 2019, creates the Sonoma County Regional Climate Protection Authority. Existing law provides for the authority to be governed by the same board as that governing the Sonoma County Transportation Authority and imposes certain duties on the authority. Existing law authorizes the authority to perform coordination and implementation activities within the boundaries of the County of Sonoma, in cooperation with local agencies, as defined, that elect to participate, to assist those agencies in meeting their greenhouse gas emissions reduction goals. Existing law authorizes the authority to develop, coordinate, and implement programs and policies to comply with the California Global Warming Solutions Act of 2006 and other federal or state mandates and programs designed to respond to greenhouse gas emissions and climate change. This bill would extend these provisions indefinitely. By extending the duties of the Sonoma County Regional Climate Protection Authority, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Support	League: W CSAC: W	Support

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<u>SB 1233</u> (McGuire)	Amended 6/20/2016	6/29/2016- Assembly Local Government Committee	Joint Powers Authorities: Water Bill Savings Act. Existing law, the Marks-Roos Local Bond Pooling Act of 1985, authorizes joint powers authorities, among other powers, to issue bonds and loan the proceeds to local agencies to finance specified types of projects and programs. This bill would enact the Water Bill Savings Act, which would authorize a joint powers authority to provide funding for a customer of a local agency or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. The bill would require the customer to repay the authority through an efficiency charge on the customer's water bill to be established and collected by the local agency or its publicly owned utility on behalf of the authority pursuant to a servicing agreement. The bill would authorize the authority to issue bonds to fund the program. The bill would also make technical changes.	Support	League: W CSAC: P	Support
<u>SBX1 1</u> (Beall)	Amended 4/21/2016	4/21/2016- Senate Appropriations	Transportation Financing for Road Maintenance. Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account. This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system and for other specified purposes. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues attributable to a \$0.12 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill and \$0.10 of a \$0.22 per gallon increase in the diesel fuel excise tax imposed by the bill, an increase of \$35 in the annual vehicle registration fee, a new \$100 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined, a new annual road access charge on each vehicle, as defined, of \$35, and repayment, by June 30, 2016, of outstanding loans made in previous years from certain transportation funds to the General Fund. The bill would provide that revenues from future adjustments in the applicable portion of the fuel tax rates, the annual vehicle registration fee increase, and the road access charge would also be deposited in the account. This bill contains other related provisions and other existing laws.	Support	League: S CSAC: S	Support

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AB 1934 (Santiago)	Amended 6/14/2016	6/30/2016-Senate Appropriations	Planning and Zoning: Density Bonuses. The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. This bill, when an applicant for approval for commercial development agrees to partner with an affordable housing developer to construct a joint project or 2 separate projects encompassing affordable housing, would require a city, county, or city and county to grant to the commercial developer a development bonus, as specified. The bill would define the development bonus to mean incentives mutually agreed upon by the developer and the jurisdiction that may include but are not limited to, specified variances. By increasing the duties of local officials relating to the administration of development bonuses, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.	Watch	League: O CSAC: C	
AB 2031 (Bonta)	Introduced 3/17/2016	6/29/2016-Senate Government and Finance. Do pass as amended.	Local Government: Affordable Housing: Financing. Existing law requires, from February 1, 2012, to July 1, 2012, inclusive, and for each fiscal year thereafter, the county auditor-controller in each county to allocate property tax revenues in the county's Redevelopment Property Tax Trust Fund, established to receive revenues equivalent to those that would have been allocated to former redevelopment agencies had those agencies not been dissolved, towards the payment of enforceable obligations and among entities that include, among others, a city and the county or the city and county. This bill would authorize a city or county that formed a redevelopment agency and became the successor agency that received a finding of completion from the Department of Finance to reject its allocations of property tax revenues from the trust fund. The bill would direct those rejected property tax revenues to an affordable housing special beneficiary district, established as a temporary and distinct local governmental entity for the purposes of receiving a rejected distribution of property tax proceeds and promoting affordable housing by providing financing assistance within its boundaries. The bill would require a beneficiary district to be governed by a 5-member board and comply with specified open meeting and public record laws. The bill would require a beneficiary district to cease to exist on the 90th calendar day after the date the county auditor-controller makes the final transfer of the distribution of property tax revenues to the beneficiary district, and prohibit a beneficiary district from undertaking any obligation that requires its action past that date. The bill would transfer any funds and public records of a beneficiary district remaining after the date the beneficiary district ceases to exist to the city or county that rejected the of property tax revenues thereafter directed to that district, as specified.	Watch	League: W CSAC: W	

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AB 2208 (Santiago)	Amended 6/23/2016	6/23/2016-Senate Appropriations	Local Planning: Housing Element: Inventory of Land for Residential Development. Existing law, the Planning and Zoning Law, requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or the county and of any land outside its boundaries that bears relation to its planning. That law requires the general plan to contain specified mandatory elements, including a housing element. Existing law requires the housing element to contain an inventory of land suitable for residential development, as defined, and requires that inventory to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels. This bill would revise the definition of land suitable for residential development to include above sites owned or leased by a city, county, or city and county. By imposing new duties upon local agencies with respect to the housing element of the general plan, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Watch	League: W CSAC: W	
AB 2299 (Bloom)	Amended: 4/5/2016	6/29/2016-Senate Appropriations	Land Use: Housing: 2nd Units. Existing law, the Planning and Zoning Law, requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or the county and of any land outside its boundaries that bears relation to its planning. That law requires the general plan to contain specified mandatory elements, including a housing element. Existing law requires the housing element to contain an inventory of land suitable for residential development, as defined, and requires that inventory to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels. This bill would revise the definition of land suitable for residential development to include above sites owned or leased by a city, county, or city and county. By imposing new duties upon local agencies with respect to the housing element of the general plan, this bill would impose a state-mandated local program.	Watch	League: C CSAC: O	
AB 2442 (Holden)	Amended 4/14/2016	6/22/2016-Senate Appropriations	Density Bonuses. The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. This bill would additionally require a density bonus to be provided to a developer that agrees to construct a housing development that includes at least 10% of the total units for transitional foster youth, disabled veterans, or homeless persons, as defined. The bill would require that these units be subject to a recorded affordability restriction of 55 years and be provided at the same affordability level as very low income units. The bill would set the density bonus at 20% of the number of these units. By increasing the duties of local agencies, this bill would impose a state-mandated local program.	Watch	League: C CSAC: W	

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<u>AB 2584</u> (Daly)	Amended 6/27/2016	6/27/2016-Senate third reading.	Land Use: Housing Development. The Housing Accountability Act, among other things, prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households or an emergency shelter or conditioning approval in a manner that renders the project infeasible unless the local agency makes specified written findings. The act authorizes an applicant or person who would be eligible to apply for residency in the development or emergency shelter to bring an action to enforce the act. This bill would, in addition, authorize a housing organization, as defined, to bring an action challenging the disapproval of a housing development pursuant to these provisions.	Watch	League: O CSAC: W	
<u>SB 7</u> (Wolk)	Amended 9/4/2014	1/1/2016-Assembly Unfinished Business	Housing: Water Meters: Multiunit Structures. Existing law generally regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. Among these requirements, existing law requires landlords to provide tenants with certain notices or disclosures pertaining to, among other things, pest control and gas meters. This bill would express the intent of the Legislature to encourage the conservation of water in multifamily residential rental buildings through means either within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and include appropriate safeguards for both tenants and landlords.	Watch	League: W CSAC: W	Watch
<u>SB 1000</u> (Leyva)	Amended 6/20/2016	6/30/2016-Assembly Appropriations	Land Use: General Plans: Environmental Justice. The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires this general plan to include several elements, including, among others, land use, open-space, safety, and conservation elements, which are required to meet specified requirements. This bill would add to the required elements of the general plan an environmental justice element. The bill would also require the environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements, to identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities, as specified, identify objectives and policies to promote civil engagement in the public decisionmaking process, and identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities. The bill would require the environmental justice element, or the environment justice goals, policies, and objectives in other elements, to be adopted or reviewed upon the adoption or next revision of two or more elements on or after January 1, 2018. The bill would authorize a city, county, or city and county that has adopted an environmental justice element, or environmental justice goals, policies, and objection in other elements in its general plan or related documents that substantially complies with the above described requirements to use that information to comply with these requirements By adding to the duties of county and city officials, this bill would impose a state-mandated local program.	Watch	League: O CSAC: Supp. if Amend.	

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SB 1069 (Wieckowski)	Amended: 6/16/2016	6/30/2016- Assembly Appropriations	Land Use: Zoning. The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. That law makes findings and declarations with respect to the value of 2nd units to California's housing supply. This bill would replace the term "second unit" with "accessory dwelling unit" throughout the law. The bill would additionally find and declare that, among other things, allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock and these units are an essential component of housing supply in California.	Watch	League: O CSAC: O	